

H0005208-1633



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

GARY L. HARTMANN ET AL.

Serial No.: 10/645,705

Filed: August 22, 2003

For: INTELLIGENT DATABASE FOR
PERFORMANCE PREDICTIONS

Art Unit: Unknown

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT FILED UNDER 37 C.F.R. § 1.97(c)(1)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants wish to make of record in the above-identified application the document or documents referenced on the attached Form PTO-1449. A copy of each reference is enclosed herewith. Further, the undersigned hereby certifies that:

- ☒ each item of information contained in the information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. The cited references are mentioned in the Search Report (copy enclosed) of applicant's corresponding International patent application and are believed relevant for at least that reason.
- ☐ no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign

application, and to my knowledge after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the information disclosure statement.

The undersigned believes that this Information Disclosure Statement is being filed before the mailing date of any action that closes prosecution in the present application. Accordingly, Applicants do not believe that a fee is due for filing this paper. However, should such an action have been issued on the same day or before this Information Disclosure Statement is filed, please accept this Information Disclosure Statement under 37 C.F.R. § 1.97(d) and charge the requisite fee to our Deposit Account No. 50-1390, under Order No. H0005208-1633 and proceed to consider this Information Disclosure Statement.

It is respectfully requested that the information be expressly considered during the prosecution of this application, and that each reference be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This submission does not represent that any referenced document is material or constitutes "prior art." If it should be determined that one or more of the referenced documents constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of the reference or references.

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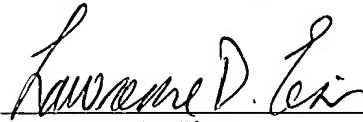
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over any referenced document, should it be applied against the claims of the present application.

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Date: January 26, 2005

Respectfully submitted,

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